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Date: April 15, 2004

Docket No.: 1190-0566PUS3

**MS PATENT APPLICATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This is a Request for filing a divisional application under 37 C.F.R. § 1.53(b) of pending prior Application No. 10/336,751 filed on January 6, 2003, the entire contents of which are hereby incorporated by reference, by Keiji NAKAMURA; Mitoru YABE for OBJECTIVE LENS DRIVING APPARATUS.

1.  Enclosed is an application consisting of specification, claims, declaration and drawings/photographs (if applicable).
2.  The filing fee has been calculated as follows:

|  |              | LARGE ENTITY |            | SMALL ENTITY |               |
|--|--------------|--------------|------------|--------------|---------------|
| BASIC FEE  |              | \$770.00     |            | \$385.00     |               |
|  | NUMBER FILED | NUMBER EXTRA | RATE       | FEE          | RATE          |
| <b>TOTAL CLAIMS</b>  | 2-20 =       | 0            | x 18 =     | \$0.00       | x 9 = \$0.00  |
| <b>INDEPENDENT CLAIMS</b>                                    | 1-3 =        | 0            | x 86 =     | \$0.00       | x 43 = \$0.00 |
| <input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS PRESENTED |              |              | + \$290.00 | + \$145.00   |               |
|  |              | <b>TOTAL</b> | \$770.00   | \$0.00       |               |





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3.  A check in the amount of \$770.00 to cover the filing fee and recording fee (if applicable) is enclosed.
4.  Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this request is enclosed.
5.  Enclosed is/are twelve (12) sheet(s) of formal drawings and/or photographs.
- 6a.  A statement claiming small entity status was filed in prior Application No. \_\_\_\_\_ on \_\_\_\_\_. See the attached copy of the statement claiming small entity status.
- 6b.  The current application qualifies for small entity status.
7.  The prior application is assigned to Mitsubishi Denki Kabushiki Kaisha.
8.  A Preliminary Amendment is enclosed.
- 9a.  Priority of Application No(s). 2002-075786 filed in Japan on March 19, 2002 is/are claimed under 35 U.S.C. § 119. See attached copy of the Letter claiming priority filed in the prior application on January 6, 2003.
- 9b.  Priority of International Appln. \_\_\_\_\_ filed on \_\_\_\_\_ under the Patent Cooperation Treaty and \_\_\_\_\_ Application No. \_\_\_\_\_ filed in \_\_\_\_\_ on \_\_\_\_\_ under 35 U.S.C. § 120 and/or § 119 are hereby reclaimed.
10.  An Information Disclosure Statement and PTO-1449 form(s) are attached hereto for the Examiner's consideration.
11.  Address all future communications to:

BIRCH, STEWART, KOLASCH & BIRCH, LLP  
P.O. Box 747  
Falls Church, VA 22040-0747  
(703) 205-8000  
or  
Customer No. 02292
12.  An extension of time for \_\_\_\_\_ ( ) month(s) until \_\_\_\_\_ has been submitted in parent Application No. \_\_\_\_\_ in order to establish co-pendency with the present application.

13.  Also enclosed herewith is the following:

\_\_\_\_\_

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP



By \_\_\_\_\_  
D. Richard Anderson, #40,439

DRA/jeb  
1190-0566PUS3

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Attachment(s)

(Rev. 02/13/2004)